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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/393,126 09/10/99 AIELLO

R FANT-99-002

EXAMINER

WM01/1220

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ART UNIT

PAPER NUMBER

2664
DATE MAILED:

12/20/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/393,126

Applicant(s)
AIELLO et al.

Examiner
Maikhanh Tran

Group Art Unit
2664



☒ Responsive to communication(s) filed on Sep 10, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-16 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1, 2, 4, 6-8, 10-14, and 16 is/are rejected.

☒ Claim(s) 3, 5, 9, and 15 is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 4 recites the limitation "said protocol operating in slotted aloha mode" in lines 3-4.

There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-2, 6-8, 10-14 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Bauchot et al (U.S. 5,644,576).

- As to claims 1-2 and 10, Bauchot et al, in abstract, summary, figs. 1, 1A and 7, col. 4, line 51--> col. 6, line 61 show a wireless communication network system comprising at least three transceivers (10, 12, 14, 16, 26 and 28) each operating according to a MAC protocol having a TDMA frame definition, said protocol structured and configured to operate in ALOHA mode and TDMA mode, each transceiver having a transmitter and a receiver, one of said transceivers (26 or

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28) being structured and configured as a master device, said master device structured and configured to manage data transmission between said transceivers.

- As to claim 11, the master device in Bauchot et al. includes a TDMA frame definition and a framing control function to frame data transmission between said transceivers (see fig. 3, the description associated with this figure and col. 6, lines 37-39).

- As to claims 6-8 and 12, it is inherent that the teaching in Bauchot et al encompasses the claimed limitations.

- As to claim 13, the claimed limitation is standard in the art. Therefore the teaching of Bauchot et al would encompass this limitation.

- As to claim 14, the TDMA frame structure in Bauchot et al. having a master slot (A type slot for outbound data transfer from the base station to the remote stations), a command slot and a plurality of data slot (C type slots).

- As to claim 16, Bauchot et al disclose a method for providing wireless network communication comprising steps a-d as discussed above. The method in Bauchot et al further comprising steps of:

- e) requesting a data slot from said master transceiver by a source slave transceiver;
- f) assigning to said source slave transceiver an assigned data slot by said master transceiver; and

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g) transferring data in said assigned data slot, by said source slave transceiver, to a target slave transceiver, said data transferring carried out without intervention from said master transceiver. (see col. 8, lines 6-40; col. 6, lines 57-61).

Allowable Subject Matter

5. Claims 3, 5, 9 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter:
The prior art of the record fail to teach the recited limitations in these claims.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Tran whose telephone number is (703) 308-7911. The examiner can normally be reached on Monday-Friday from 8:00 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin, can be reached on (703) 305-4366. The fax phone number for this Group is (703) 308-9051.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.


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Maikhanh Tran

December 15, 2000



**WELLINGTON CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600**